

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SOCIAL BICYCLES LLC d/b/a JUMP,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19 C 5253
	)	
CITY OF CHICAGO DEPARTMENT	)	Judge Joan Humphrey Lefkow
OF TRANSPORTATION; CITY OF	)	
CHICAGO,	)	
	)	
Defendants.	)	

**AGREED MOTION FOR EXTENSION OF TIME FOR DEFENDANTS TO  
RESPOND TO COMPLAINT AND TO RESCHEDULE STATUS CONFERENCE**

Defendants City of Chicago (“City”) and the City’s Department of Transportation (“CDOT”) (collectively, “Defendants”), by and through their attorney, Mark A. Flessner, Corporation Counsel for the City, and Plaintiff Social Bicycles LLC d/b/a JUMP, by and through its attorneys, Kaplan, Hecker & Fink LLP and Massey & Gail LLP, respectfully move (1) for an extension of time, up to and including September 26, 2019, for Defendants to file an answer or otherwise plead in response to Plaintiff’s complaint and (2) to reschedule the status conference currently scheduled for September 10, 2019. In support of its motion, the parties state as follows:

1. Plaintiff filed its Complaint for Declaratory and Injunctive Relief (“Complaint”) in this Court on August 2, 2019 and served Defendants on August 6, 2019. As set forth in the Complaint, Plaintiff’s lawsuit challenges the validity of a 2013 Bikeshare Agreement and 2019 Amendment. The Complaint contains five counts, asserting violations of Section 8-10-13 of the Illinois Municipal Purchasing Act (Count I), Section 2-92-615 of the Municipal Code of Chicago (Count II), the Fourteenth Amendment to the U.S. Constitution (Count III), and Article I, Section

2 of the Illinois Constitution (Count IV), and seeking declaratory relief pursuant to 28 U.S.C. § 2201 (Count V).

2. By rule, Defendants' deadline to answer or otherwise respond to the Complaint is August 27, 2019. At this time, Defendants anticipate filing a motion under Rule 12(b) to dismiss the Complaint. Defendants respectfully submit, however, that they will need additional time to do so. Specifically, Defendants state that they need additional time to investigate the factual allegations in the complaint, including the history of the municipal authorizations associated with the challenged 2013 agreement and the 2019 amendment thereto, as well as to research the issues of federal, state, and municipal law raised in the Complaint's five counts.

3. On August 19, 2019, counsel for Defendants spoke with Plaintiff's counsel, who stated that Plaintiff did not oppose Defendants' request for additional time. In light of that possible extension, the parties agree that it would be prudent to reschedule the initial status conference set for September 10, 2019, Dkt. No. 11, for a date subsequent to Defendants' deadline to respond to the Complaint. The parties agree and respectfully submit that the initial status conference may be more productive if held after Defendants have filed their response.

WHEREFORE, for the foregoing reasons, the parties respectfully request that the Court (1) grant Defendants an extension of time to answer or otherwise plead in response to Plaintiff's Complaint up to and including September 26, 2019, (2) reschedule the status conference set for September 10, 2019 for a date subsequent to September 26, 2019, and (3) grant any other relief that this Court deems just and proper.

Date: August 26, 2019

Respectfully submitted,

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and MASSEY GAIL LLP

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